



DELTA STEWARDSHIP COUNCIL

A California State Agency

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September 14, 2017

Chair
Randy Fiorini

Edward Hard, Chief
California Department of Parks and Recreation
1 Capitol Mall, Suite 410
Sacramento, CA 95616

Members
Frank C. Damrell, Jr.
Patrick Johnston
Susan Tatayon
Skip Thomson
Ken Weinberg
Michael Gatto

Executive Officer
Jessica R. Pearson

Via email: Edward.Hard@parks.ca.gov

**RE: Notice of Preparation for the Aquatic Invasive Plant Control Program,
SCH#2017082031**

Dear Mr. Hard:

Thank you for the opportunity to comment on the Notice of Preparation (NOP) for the Aquatic Invasive Plant Control Program (AIPCP). The Delta Stewardship Council (Council) supports the California Department of Parks and Recreation/Division of Boating and Waterways (DBW) efforts to manage aquatic invasive plants in the Delta while minimizing environmental and ecosystem impacts. The Council recognizes the impact of aquatic invasive plants on the Delta ecosystem, and the importance of their management, as demonstrated through our recommendations, policies, and strategies addressing invasive species within Chapter 4 of the Delta Plan (http://deltacouncil.ca.gov/sites/default/files/documents/files/CH_04_2013.pdf).

Further, proposed Performance Measure 4.10, which is currently undergoing environmental review before being considered for adoption by the Council, includes the DBW efforts to control aquatic invasive plants (<http://deltacouncil.ca.gov/docs/delta-stewardship-council-may-25-2017-meeting-agenda-item-9-performance-measures-attachment-1>). Below we offer background information on the Council, and look forward to coordinating with the DBW as it prepares the Programmatic Environmental Impact Report (PEIR) for the proposed program.

The Council is a State agency created by the California Legislature through the Delta Reform Act of 2009 to develop and implement a legally enforceable long-term management plan for the Delta. The Delta Plan applies a common sense approach based on the best available science to achieve the coequal goals of protecting and enhancing the Delta ecosystem and providing for a more reliable water supply for California, while protecting and enhancing the unique cultural, recreational, and agricultural values of the Delta as an evolving place.

"Coequal goals" means the two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place."

– CA Water Code §85054

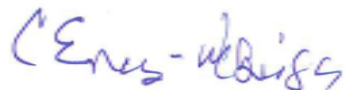
Delta Plan Covered Actions and Consistency Certification – The mission of the Council is to promote the coequal goals of water supply reliability and ecosystem restoration in a manner that protects and enhances the unique values of the Delta as an evolving place (Water Code section 85054). The Delta Reform Act granted the Council specific regulatory and appellate authority over certain actions that take place in whole or in part in the Delta or Suisun Marsh. The Council exercises that authority through the development and implementation of the Delta Plan.

According to the Delta Reform Act, State or local agencies approving, funding or carrying out projects, plans, or programs, upon determining their project is a “covered action” subject to regulations of the Delta Plan, must certify consistency of the project with the Delta Plan’s policies (Water Code section 85225). Based on the program description, Council staff believes your program meets the definition of a covered action. Generally, the California Environmental Quality Act lead agency, which in this case would be California Department of Parks and Recreation, would complete the Certification of Consistency.

Early Consultation – Council staff is available to consult with you further, as provided by Water Code section 85225.5, about the process for filing a Certification of Consistency. This may include information that is relevant to the preparation of your PEIR, including advice on developing an adaptive management plan for the project, the use of best available science, and advice on how the project can help achieve the coequal goals while still meeting the project’s own objectives.

Again, the Council applauds DBW’s efforts to manage aquatic invasive plants, and recognizes those efforts can contribute to achieving the coequal goals. We would like to work with you as you develop the PEIR to ensure the consistency of the AIPCP with the Delta Plan. I encourage you to contact my staff Ron Melcer (Ronald.Melcer@deltacouncil.ca.gov) or Megan Brooks (Megan.Brooks@deltacouncil.ca.gov) with your questions, comments, or concerns.

Sincerely,



Cassandra Enos-Nobriga
Deputy Executive Officer
Delta Stewardship Council